

corporation, violating any of the provisions of this Act, shall upon conviction be punished by fine of not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100) Dollars, and shall forfeit his license privilege for a period of twelve months after conviction.

Sec. 21. If any Section of this Act shall be held unconstitutional it shall not affect any other Section of this Act, and all Sections save the one that may be declared unconstitutional shall continue to be in full force and effect.

Sec. 22. The fact that there is no adequate law regulating and protecting the fur industry of this State, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended and said rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

FORTIETH DAY.

Senate Chamber,
Austin, Texas,

Tuesday, March 5, 1929.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Williamson.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Parr.

S. B. No. 607, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office of the State of Texas to issue an oil and gas lease to H. M. Holden, his heirs and assigns, for a term of five years and as long thereafter, as oil, gas or any other mineral is produced in paying quantities, upon Mineral Survey 688 for 703.86 acres in Nueces Bay, Nueces County, Texas, being the Survey included in Permit No. 5242, conditioned that the said H. M. Holden, his heirs or assigns shall pay to the General Land Office in advance for the benefit of the Available School Fund a sum of one dollar per acre, per year, until oil, gas or other minerals be produced during said five year period, when a royalty equal to one-eighth of the market value of the gross production shall be paid in lieu of said rentals, providing for a forfeiture and reinstatement and declaring an emergency."

The bill was read first time and referred to the Committee on Public Lands and Land Office.

By Senator Love:

S. B. No. 608, A bill to be entitled "An Act vesting the right of eminent domain in the Board of Managers of the North Texas Junior Agricultural, Mechanical and Industrial College; and declaring an emergency."

The bill was read first time and referred to Committee on Civil Jurisprudence.

Simple Resolution No. 88.

Senator Parr sent up the following resolution:

Whereas, An all wise Providence in His goodness and mercy hath seen fit to call from our midst an honored and much beloved member of this Senate, the Honorable Jeff McLemore, who departed this life or this 4th day of March, 1929, at Laredo, Texas.

Whereas, as a member of the Senate and as a member of the House

of Representatives and of the Lower House of Congress, he rendered a conspicuous and distinguished service to the people of his State and nation; and

Whereas, While among us, by his innate modesty, his transcendent ability, his unswerving devotion to principle and his unimpeachable integrity, he was a daily inspiration to higher and nobler things, and a constant benediction to his friends and associates; therefore, be it

Resolved That in his life the people of the community and State in which he lived were richly endowed, and that in his death they have sustained an irreparable loss; and be it further

Resolved, That this Senate extends to his family the deepest sympathy and condolence, that those resolutions be spread upon the Journal of the Senate, and that the clerk be directed to transmit a copy to the family, and that when an adjournment is taken it be in honor of our distinguished former member and associate.

The bill was read and adopted unanimously by a rising vote.

S. C. R. No. 39.

Senator Greer sent up the following resolution:

Whereas, Senate Bill No. 414 was passed without a record vote, and

Whereas, it is necessary for said S. B. No. 414 to have a record vote in order that it may go into immediate effect, and now

Therefore, be it resolved by the Senate that the Clerk of the Senate be instructed to ask the House to return S. B. No. 414, to the Senate for the purpose of obtaining a record vote on same.

The resolution was read and adopted.

Messages from the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, Mar. 5, 1929.

Hon. Barry Miller, President of the Senate,

Sir: I am directed by the House to inform the Senate that the House

has adopted the report of the Free Conference Committee on H. J. R. No. 7 by a vote of 101 yeas and 9 nays.

Adopted S. C. R. No 39, providing for the return of S. B. No. 414 to the Senate for further consideration.

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 4, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

By Senators Woodward, Greer and Thomason:

S. B. No. 498, A bill to be entitled "An Act approving, ratifying and confirming a contract of date January 1, 1929, by and between the Board of Managers of the Texas State Railroad and Texas and New Orleans Railroad, approved by the Governor of Texas and for the maintenance and operation of the properties of said Texas State Railroad by said Texas and New Orleans Railroad Company, providing that this Act shall be cumulative of Chapter Twenty-six of the General Laws of the Regular Session of the Thirty-seventh Legislature, approved March 12, 1921, and that said contract shall, upon the same becoming effective, supersede the contract between the same parties which was confirmed and ratified by Chapter Three of General Laws of the Second Called Session of the Thirty-seventh Legislature, approved August 25, 1921, and declaring an emergency."

LOUISE SNOW PHINNEY,

Chief Clerk of the House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 5, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

By Mr. Tillotson:

H. B. No. 654, A bill to be entitled "An Act defining motor carrier and placing such motor carriers under the regulation of the Railroad Commission of Texas; providing for the classification of motor carriers

into classes, and providing that every motor carrier, in order to operate on the public highways, must have a permit or certificate of public convenience and necessity; providing further, that such motor carriers may not operate without filing with the Railroad Commission of Texas a bond or insurance policy which will protect the public for injuries or loss resulting from such operation; declaring that such motor carriers are common carriers, and giving to the Railroad Commission the power to regulate the routes and rates, schedules, service and safety of such motor carriers."

By Mr. Palmer:

H. B. No. 347, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by independent school districts in the State of Texas, which levies are unenforceable because of the governing bodies in such respective independent school districts to make such levies by order, and declaring an emergency."

S. B. No. 251, A bill to be entitled "An Act to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to establish and maintain a horticultural and agricultural experiment station at some point within the limits of Atascosa, Bexar, Dimmit, Frio, La Salle, Maverick, Medina, Uvalde, Webb, or Zavala Counties in the State of Texas for the purpose of making scientific investigations and experiment in the production of fruits, citrus fruits, nuts and vegetables and methods of combatting insect pests and diseases of said product in the said section and conducting scientific experiments in poultry raising and dairying, authorizing said Board of Directors to acquire a suitable site therefor, and to accept donations of land and money for said purpose, providing that such experiment station shall be under the general supervision of said Board of Directors and providing that unless donations of land within said territory with available water for irrigation purposes thereon suitable and sufficient for said experiment station shall not be established, and declaring an emergency."

LOUISE SNOW PHINNEY,

Chief Clerk of the House of Representatives.

Hall of the House of Representatives, Austin, Texas, March 5, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 34, Providing for the recalling of H. B. No. 670 from the Governor's Office for the further consideration of the House.

LOUISE SNOW PHINNEY,
Chief Clerk of the House of Representatives.

Motion to Set Special Order.

Senator Love moved to set S. B. No. 24 as special order after the first special order this morning.

Senator Wirtz moved to table the motion. The motion to table prevailed by the following vote:

Yeas—14.

Beck.	Russek.
Cunningham.	Small.
Hornsby.	Stevenson.
Martin.	Williamson.
Miller.	Wirtz.
Parr.	Witt.
Parrish.	Woodul.

Nays—8.

Berkeley.	Love.
Cousins.	McFarlane.
DeBerry.	Westbrook.
Greer.	Woodward.

Absent.

Moore. Pollard.

Absent—Excused.

Neal.

(Pairs Recorded.)

Senator Hardin (present), who would vote nay with Senator Holbrook (absent), who would vote yea.

Senator Hyer (present), who would vote nay with Senator Gainer (absent), who would vote yea.

Senator Thomason (present), who would vote nay with Senator Patton (absent), who would vote yea.

Senate Bill No. 150.

The Chair laid before the Senate as special order the following bill:

S. B. No. 150, A bill to be entitled "An Act to confirm and validate all

patents and awards issued on lands lying across or partly across or abutting on water courses or navigable streams or the beds or abandoned beds thereof, or parts thereof, and to relinquish, quitclaim and grant to patentees and awardees and their assignees all of such lands, and minerals therein contained, across or abutting on water courses or navigable streams and also the beds or abandoned beds thereof, and minerals therein contained, where such patents or awards have been issued and outstanding for a period of five years from the date thereof and have not been cancelled or forfeited, without impairing the rights of the general public, the state, riparian owners or appropriation owners in the waters of such streams, and providing that with respect to lands sold by the State of Texas expressly reserving title to minerals in the State, such reservation shall not be affected by this Act and that the patentees or awardees and their assignees shall have the same rights, title and interest in the minerals in the beds or abandoned beds of such water courses or navigable streams that they have in the uplands covered by the same patents, and declaring an emergency."

The question was whether the bill should pass notwithstanding the veto of the Governor.

Free Conference Report.

Senator Parrish sent up the following Free Conference Committee Report:

Committee Room,

Austin, Texas, March 4, 1929.

Hon. Barry Miller, President of the Senate.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed by your respective bodies to consider H. J. R. No. 7, have had the same under consideration, and beg leave to report that we have reached the following agreement:

The Senate recedes from the Committee Amendment and instead of changing the figures "\$10,000.00" where they appear in the Resolution to "\$12,000.00" we desire to leave the amount "\$10,000.00." And instead of changing the date of the election from July 16th, 1929, to the

Fourth Saturday in July 1930, we desire to leave the date of the election July 16th, 1929.

Respectfully submitted,
PARRISH,
WIRTZ,
HORNSBY,
WOODWARD,
SMALL.

On the part of the Senate.

VEATCH,
MINOR,
PETSCH,
KIMBLE,
SNELGROVE.

On the part of the House.

Read and adopted by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

Senate Bill No. 548.

The Chair laid before the Senate on second reading the following bill:

S. B. No. 548, A bill to be entitled "An Act creating a more efficient road system for McMullen County, Texas; providing that the County Commissioners shall co-operate with the State Highway Department in the establishment, construction and maintenance of designated State highways, to be paid for partly by the County and partly by the State or Federal Government; authorizing the Commissioners' Court of McMullen County to issue bonds of said County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof; providing that this Act shall be cumulative of all road laws of said County and declaring an emergency.

The committee report was adopted.
The bill was read second time and passed to engrossment.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 548 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

The bill was read third time and finally passed by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

Recess.

On motion of Senator McFarlane, the Senate at 12:05 o'clock p. m., recessed until 2:00 o'clock p. m.

After Recess.

The Senate met at 2:00 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

Senate Bill No. 150

The question recurred upon the passage of S. B. No. 150 over the Governor's veto.

On motion of Senator Wirtz, the previous question was ordered.

The motion to pass the bill over the Governor's veto prevailed by the following vote:

Yeas—24.

Beck.	Patton.
Berkeley.	Pollard.
Cousins.	Russek.
Cunningham.	Small.
DeBerry.	Stevenson.
Gainer.	Thomason.
Greer.	Westbrook.
Holbrook.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Parr.	Woodul.
Parrish.	Woodward.

Nays—6.

Hardin.	Love.
Hornsby.	Miller.
Hyer.	Moore.

Absent—Excused.

Neal.

House Bills Referred.

H. B. No. 347 referred to Educational Affairs.

H. B. No. 654 referred to State Highways and Motor Traffic.

Senate Bill No. 414

Senator Greer moved to reconsider the viva voce vote by which S. B. No. 414 finally passed. The motion prevailed.

The bill was finally passed by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

Senate Bill No. 413.

The Chair laid before the Senate on third reading the following bill:

S. B. No. 413, A bill to be entitled "An Act defining motor carrier and placing such motor carriers under the regulation of the Railroad Commission of Texas; providing for the classification of motor carriers into classes and providing that every motor carrier in order to operate on the public highways must have a permit or certificate of public convenience and necessity; providing, further, that such motor carriers may not operate without filing with the Railroad Commission of Texas a bond or insurance policy which will protect the public for injuries or loss resulting from such operation; etc., and declaring an emergency."

The bill was read third time and finally passed by the following vote:

Yeas—18.

Beck.	Parrish.
Berkeley.	Patton.
Gainer.	Pollard.
Greer.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Witt.
Love.	Woodul.
Moore.	Woodward.

Nays—9.

Cousins.	Parr.
Cunningham.	Russek.
DeBerry.	Stevenson.
McFarlane.	Wirtz.
Miller.	

Absent.

Hardin.	Small.
Martin.	

Absent—Excused.

Neal.

Free Conference Committee Report

Senator Pollard sent up the following Free Conference Committee Report.

Committee Room,

Austin, Texas, March 5, 1929.

Hon. Barry Miller, President of the Senate, and

Hon. W. S. Barron, Speaker of the House of Representatives.

Gentlemen:

We, your Conference Committee appointed by your respective bodies to consider Senate Bill No. 286, have had said Bill under consideration and beg leave to report that we have reached the following agreement, to-wit:

The Committee agreed to strike out an item of \$1,333.28 for extra help for the Comptroller's Department, and the sum of \$1,648.00 for contingent expenses, as shown in the Senate Bill, and said item having been amended by the House and reduced to the sum of \$500.00, and the following was inserted in lieu thereof: For extra help as needed from February 1, 1929, to August 31, 1929, \$2,083.28. To supplement contingent expenses from February 1, 1929, to August 31, 1929, \$1,000.00.

The Senate Bill provided for the sum of \$775.00 to buy an addressograph machine which was cut out by the House Bill. The Senate Committee receded from its position and eliminated from said Bill.

The House Committee receded from its position in regard to an increase of an item of \$1,750.00 to \$2,250.00 for the salary of an actuary and deputy in the Life Division of the Insurance Department, and agreed that same should remain as in the Senate Bill at \$1,750.00. An item was added in the Life Division of the Insurance Department for \$750.00 for an additional stenographer for the Department, which was added by both Committees.

The Senate Bill provided for a salary of clerks in the General Land Office in the sum of \$4,725.00, which was increased by House amendments to \$12,000.00. The Senate partly receded, and the House partly receded, from their positions, and adopted the following amendments to the Bill as a part of their report: Salaries of six clerks at \$150.00 each per month from February 1, 1929, to August 31, 1929, \$5,400.00; salaries of six clerks at \$125.00 each per month from February 1, 1929, to August 31, 1929, \$4,500.00. The Senate accepted House amendments allowing the sum of \$1,200.00 for material for photostatic machine for the General Land Office.

The Committee agreed to add an item of \$2,000.00 for the State Highway Department to pay contingent expenses, telephone, telegraph, express, postage, stationery, and office supplies for the State Highway Department.

The Senate Committee accepted the House amendment eliminating an item of \$950.00 in the Agricultural Department for the purpose of collecting, compiling, etc., agricultural information, and accepted the increase from \$2,500.00 to \$3,500.00 for traveling expenses for the Department. The Senate Committee also accepted the House amendment of \$6,000.00 for the enforcement of the Pink Boll Worm Law, and the sum of \$500.00 for contingent expenses for the year ending August 31, 1929, for the Agricultural Department. The Senate Committee also accepted the House amendment providing for an appropriation for the sum of \$149,920.00 for the purpose of paying salaries of inspectors and other persons engaged in the conduct of tick eradication, etc., for the Live Stock Sanitary Commission, from April 1, 1929, to August 31, 1929. The Senate Committee also accepted the House amendment for the sum of \$10,000.00 for the purpose of paying for the expenses of packing, shipping, etc., of World War trophies, etc.

Both Committees struck out the items providing for the sum of \$2,738.08 to pay the salary of the Judge of the 111th Judicial District and the sum of \$1,250.00 to pay the salary of the Assistant District Attorney for the 49th Judicial District, and inserted in lieu thereof the following: To pay salaries, expenses and per diem for District Judges and District Attorneys for newly created districts, to August 31, 1929, \$25,197.00. To pay salary of newly created Criminal District Judge, Jefferson County, Texas, to August

31, 1929, \$2,500.00. To pay salary of Assistant District Attorney of Lubbock County, Texas, to August 31, 1929, \$1,250.00. To pay salary of Assistant District Attorney of Webb County, Texas, to August 31, 1929, \$1,250.00.

The bill as agreed upon is hereto attached, and will more fully set out the agreement reached by your Conference Committee, which is attached hereto and made a part hereof.

Respectfully submitted,

POLLARD,
BERKELEY,
WOODWARD,
PARRISH,
McFARLANE,

On part of the Senate.

WALLACE,
WILLIAMSON,
McGILL,
WOODALL,
HORNADAY,

On part of the House.

The Senate of Texas
Forty-first Legislature
1929.

By Pollard. S. B. No. 286.

A BILL

To Be Entitled

An Act making certain emergency appropriations out of any money in the State Treasury for the several Departments of the State of Texas, as named herein, for the balance of the fiscal year ending August 31, 1929; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money be, and the same are hereby, appropriated out of any funds in the State Treasury, not otherwise appropriated, to cover emergency appropriations for the several Departments of the State of Texas, named herein, for the balance of the fiscal year ending August 31, 1929, which appropriations shall be for the emergencies hereinafter stated:

DEPARTMENT OF STATE.

For premiums on bonds for the years 1928 and 1929	\$ 200.00
For premiums on bonds for the years 1927 and 1928 (Assistant Secretary of State)	300.00
For premiums on bonds for the years 1928 and 1929 (Assistant Bookkeeper)	200.00
Balance due newspapers of the State for notices published concerning constitutional	

amendments submitted to the people for the
fiscal years ending August 31, 1928, and Au-
gust 31, 1929 ----- 7,000.00

Total ----- \$ 7,700.00

ADJUTANT GENERAL'S DEPARTMENT.

To pay all necessary expenses in packing and
shipping, to points of distribution, the cap-
tured World War trophies for the balance
of the fiscal year ending August 31, 1929...\$10,000.00

Total ----- \$ 10,000.00

COMPTROLLER'S DEPARTMENT.

For premiums on bonds for the year 1929 of the
State Comptroller ----- 300.00
For premiums on bonds for the year 1929 of the
Chief Clerk of Comptroller's Department 40.00
For extra help as needed from February 1, 1929,
to August 31, 1929 ----- 2,083.28
To supplement contingent expenses from Feb-
ruary 1, 1929, to August 31, 1929 ----- 1,000.00

Total ----- \$ 3,423.28

ATTORNEY GENERAL'S DEPARTMENT.

Law enforcement ----- 2,000.00
Two stenographers from February 1, 1929, to
August 31, 1929 ----- 1,750.00

Total ----- \$ 3,750.00

STATE BOARD OF CONTROL.

Repairs to Capitol (Press Room) ----- 1,000.00
Lights, water, fuel and repairs to machinery at
power house ----- 3,500.00

Total ----- \$ 4,500.00

STATE DEPARTMENT OF HEALTH.

Bureau of Child Hygiene:
To pay salaries for July and August, 1929 ----- 4,675.00
Postage and contingent expense ----- 325.00
Bureau of Vital Statistics:
For promotion of birth and death registration
for the fiscal year ending August 31, 1929,
including postage, printing and field work... 10,000.00

Total ----- \$ 15,000.00

RAILROAD COMMISSION.

For contingent expenses for the fiscal year ending
August 31, 1928 ----- 576.25
To supplement the appropriation for the fiscal
year ending August 31, 1929, for the Oil
and Gas Division of the Railroad Commis-
sion of Texas, on page 298 of the Acts of
the First Called Session of the Fortieth Leg-
islature for the following purpose: "Sheriff
and witness fees, traveling expenses, postage,

books, stationery, telegraph, telephone, express charges, files, printing blanks, pamphlets, tariffs, rulings, purchase and maintenance of automobiles, and all other necessary expenses to be incurred in the administration and enforcement of and as contemplated by the provisions of the Chapter on Oil and Gas, Title 102, Revised Civil Statutes of Texas, 1925; provided no part of this appropriation shall be used in the payment of office rent, and the expenditure for Oil and Gas Division of the Railway Commission shall not exceed, for the fiscal year, the revenue derived from special tax levied for the administration of the Oil and Gas Conservation Act, as provided in Title 102, Revised Civil Statutes of Texas, 1925" ----- 5,000.00

Total ----- \$ 5,576.25

BOARD OF INSURANCE COMMISSIONERS.

Life Division:

For salary of Actuary and Deputy Commissioner from February 1, 1929, to August 31, 1929 1,750.00
For salary of stenographer from March 1, 1929, to August 31, 1929 ----- 750.00
Incidental expenses from February 1, 1929, to August 31, 1929 ----- 150.00

Total ----- \$ 2,650.00

Casualty Division:

For automobile, fire and casualty statistician from February 1, 1929, to August 31, 1929 750.00
One stenographer ----- 750.00
Two typists ----- 1,350.00
Chief automobile rater ----- 1,500.00
Assistant automobile rater ----- 900.00
New office equipment, including typewriters, desks, chairs and metal files ----- 900.00
One calculating machine ----- 425.57
Contingent and printing and office supplies, including stamps ----- 600.00

Total ----- \$ 7,175.57

Total requests for Board of Insurance Commissioners ----- \$ 9,825.57

STATE DEPARTMENT OF EDUCATION.

Text Book Commission—for printing annual report ----- 500.00

Total ----- \$ 500.00

GENERAL LAND OFFICE.

Salary of six clerks at \$150.00 each per month, from February 1, 1929, to August 31, 1929 5,400.00
Salary of six clerks at \$125.00 each per month, from February 1, 1929, to August 31, 1929 4,500.00
Material for operating photostatic machine for the balance of the fiscal year ending August 31, 1929 ----- 1,200.00

Total ----- \$ 11,100.00

DEPARTMENT OF AGRICULTURE.

Salary for stenographer for Market News Division from February 1, 1929, to August 31, 1929	750.00
For enforcement of Pink Boll Worm Law from February 1, 1929, to August 31, 1929	6,000.00
Traveling expenses, all divisions, from February 1, 1929, to August 31, 1929	3,500.00
Contingent expense for telegraph, telephone and express	500.00
Total	\$ 10,750.00

JUDICIARY.

Court of Civil Appeals of the Fourth Supreme Judicial District of Texas, San Antonio—for the purchase of filing cabinets and furniture for the clerk's and judge's offices, from February 1, 1929, to August 31, 1929	750.00
Emergency appropriation to provide for printing of Volumes 110, 111 and 112 of Court of Criminal Appeals Report	4,500.00
For the Tenth Court of Civil Appeals for the year ending August 31, 1929	800.00
To pay traveling and living expenses of Judges in the several Courts of Civil Appeals of the State of Texas, on transferred cases; from February 1, 1929, to August 31, 1929	1,000.00
Total	\$ 7,050.00

JUDICIARY—(COMPTROLLER'S DEPARTMENT).

To pay salaries of District Judges for the month of August, 1928	5,000.00
To pay salaries of District Judges for the month of August, 1929	5,000.00
To pay salaries of District Attorneys for the month of August, 1929	490.00
To pay salaries, expenses and per diem for District Judges and District Attorneys for newly created districts, to August 31, 1929	25,197.00
To pay salary of newly created Criminal District Judge, Jefferson County, Texas, to August 31, 1929	2,500.00
To pay salary of Assistant District Attorney of Lubbock County, Texas, to August 31, 1929	1,250.00
To pay salary of Assistant District Attorney of Webb County, Texas, to August 31, 1929	1,250.00
Total	\$ 40,687.00

LIVE STOCK SANITARY COMMISSION.

To pay salaries of inspectors and other persons engaged in the conduct of tick eradication and eradication of scabies and live stock sanitary work of the Live Stock Sanitary Commission, from April 1, 1929, to August 31, 1929	149,920.00
Total	\$149,920.00

STATE HIGHWAY DEPARTMENT.

To pay contingent expenses, telephone, telegraph,
express, postage, stationery, and office sup-
plies ----- 2,000.00

Total ----- \$ 2,000.00

Provided that the above and foregoing amounts appropriated herein for State Highway Department shall be paid out of the State Highway Fund, upon warrants issued by State Comptroller, as provided by Chapter 190, General Laws, Regular Session, 1917, and amendments thereto; and provided further that all funds now on hand and all funds coming into the State Highway Fund derived from registration fees or from other sources, after deducting the total of the foregoing, are hereby appropriated to the State Highway Department for the establishment of a system of State Highways and the construction and maintenance thereof as contemplated and set forth in Chapter 190, Acts 1917, and all Acts amendatory thereto.

Grand Total ----- \$281,782.10

Sec. 2. The fact that the appropriations heretofore made for the above items are exhausted or will become exhausted before the expiration for the time for which the same were appropriated, creates an emergency and an imperative public necessity which justifies the suspension of the constitutional rule requiring bills to be read on three several days in each House, and the rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and adopted by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

H. C. R. No. 24.

The Chair laid before the Senate H. C. R. No 24, recalling H. B. No. 607 from the Governor for further consideration by the House.

The resolution was read and adopted.

S. C. R. No. 40.

Senator Wirtz sent up the following resolution:

Whereas H. B. No. 556 has been finally passed by both Houses and sent to the Governor, and

Whereas it is desired to recall said bill for further consideration, therefore:

Be it resolved by the Senate, the House concurring, the Governor be, and he is hereby requested to return said bill to the Senate for further consideration.

The resolution was read and adopted.

S. C. R. No. 41.

Senator Parr sent up the following resolution

Whereas, S. B. No. 370 was received from the House with amendments, and

Whereas, the Senate concurred in House amendments by a viva voce vote, and

Whereas, It is desired to have a record vote on House amendments:

Therefore, Be it resolved by the Senate, the House of Representatives concurring, that the Governor be requested to return said bill to the Senate in order to obtain a record vote.

Be it further resolved, That the President of the Senate and the Speaker of the House be directed to erase their signatures.

The resolution was read and adopted.

Bills Signed.

The Chair, Lieutenant Governor Barry Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 297.
S. B. No. 520.
S. B. No. 309.

Senate Bill No. 357.

Senator Miller called up from the table the following bill:

S. B. No. 357, A bill to be entitled "An Act amending H. B. No. 50, Chapter 270 of the General and Special Laws passed by the Fortieth Legislature of the State of Texas at its regular session so as to repeal Sections 3, 5, 6, 7, 8, 9, 10, and 11 of said Act and adding a new section to be known as Section 5 to provide that any person, firm or corporation, or association of persons, shall have the right to use any of the public roads or highways of this State for the purpose of operating motor busses for hire who shall comply with all remaining provisions of said Act and the regulations of the Railroad Commission, etc., and declaring an emergency."

The bill was read second time.

The Committee substitute was read.

Senator Wirtz sent up the following amendment:

Amend S. B. No. 357 by striking out Section 5A of the Committee Substitute, being lines 28 to 32 inclusive, on page 4 and lines 1 to 11 inclusive, on page 5, and insert in lieu thereof the following:

"All operators to whom a certificate of necessity and convenience has been granted under the terms of this Bill shall be limited by the Commission to a rate which will yield an annual net income not exceeding eight (8) per cent of the investment, exclusive of any valuation placed on the permit. Each such operator shall make an annual sworn statement, on forms to be furnished by the Commission, showing the net earnings and investment for the preceding twelve (12) months, and if such net earnings exceed eight (8) per cent of the invested capital, exclusive of any valuation placed on the permit, all earnings in excess of

such amount shall be paid back into the treasury to the credit of the Highway Department, to be used by it in the maintenance and repair of roads over which such lines operate."

WIRTZ.

The amendment was read.

Senator Hornsby moved to table the amendment. The motion was lost.

The amendment was adopted.

Senator Hornsby moved that further consideration of this bill be indefinitely postponed.

On motion of Senator Love the previous question on the motion was ordered.

The motion to indefinitely postpone the further consideration of the pending bill prevailed by the following vote:

Yeas—17.

Beck.	Parrish.
Berkeley.	Patton.
Gainer.	Small.
Hardin.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Miller.	Witt.
Moore.	Woodward.
Parr.	

Nays—12.

Cousins.	McFarlane.
Cunningham.	Pollard.
DeBerry.	Russek.
Holbrook.	Stevenson.
Love.	Wirtz.
Martin.	Woodul.

Absent.

Greer.

Absent—Excused.

Neal.

Free Conference Committee Report.

Senator Pollard sent up the following Free Conference Committee report:

Committee Room,
Austin, Texas, Mar. 4, 1929.
Hon. Barry Miller, President of the Senate, and
Hon. W. S. Barron, Speakers of the House of Representatives.

Sirs: We, your Conference Committee appointed by your respective bodies to consider S. B. No. 476, have had said bill under consideration and beg leave to report that we

have reached the following agreement:

The only changes made by the House to the Senate Bill was an appropriation for emergencies for the balance of the fiscal year ending August 31, 1929, which the Senate Committee has agreed to.

We therefore recommend that the following report be adopted: "Strike out all after the enacting clause in S. B. No. 476, and insert in lieu thereof, the following:

Section 1. That the following sums of money, or so much thereof as may be necessary, be and the same are hereby appropriated for emergencies and to pay miscellaneous claims against the State for the Prison System of the State of Texas, as herein enumerated:

For emergencies and supplemental appropriations for the balance of the fiscal year ending August 31, 1929.

Tractor, Ferguson Farm	\$ 852.20
Truck, Darrington Farm	700.30
Truck, Clemens Farm	898.85
Touring Car, Ramsey Farm	439.00
Water Well, Ramsey Farm, Camp No. 4	650.00
Wynne Farm Building to replace burned barracks	9,000.00
Light Plant, Eastham Farm, Camp No. 1	1,400.00
Light Plant, Darrington Farm	1,400.00
Two water wells, Eastham Farm	2,000.00
Miscellaneous Repairs and Replacements	10,000.00
Salaries	72,025.05
Groceries and Sundries	146,400.00
Drugs	12,810.00
Surgical Supplies	1,830.00
Maintenance of Veterinary Department	1,647.00
Dental Supplies	457.50
Tools, Implements, etc.	18,300.00
Dry Goods, Clothing, etc.	21,960.00
Feed, planting seed and livestock	21,960.00
Material for wagon factory and cabinet shop	7,320.00
Material and supplies for machine shop	10,980.00
Material and supplies for shoe shop	14,640.00
Material and supplies for print shop	366.00
Material and supplies for criminal record office	732.00
Miscellaneous items: Including bagging and ties, freight, express, postage, stationery, insurance, weighing, handling and sampling of cotton, rent, premium on bonds, taxes, traveling expenses, telephone and telegraph expenses, fuels, oils, greases, natural gas, per diem and expense of Board members, general repairs, feed, poison, automobile upkeep, and for contingent expenses for entire prison system	\$ 91,500.00
Fund to be disbursed from time to time to the Huntsville Fire Department for expense incurred and service rendered in protection of prison property in cases of fire	500.00
For purchase of 1,000 feet of standard 2 1-2 inch fire hose and nozzles	1,500.00
Total	\$452,267.90

Miscellaneous Claims for the Fiscal Year Ending August 31, 1928

To pay Angleton Motor Co., Truck and car parts	\$ 898.90
To pay Armour & Company, bacon	778.63
To pay Anders Chevrolet Co., car parts	395.08
To pay American Machy, Co., laundry machinery	440.25
To pay Acme Brick Co., brick	42.71
To pay Adams Extract Co., extracts	59.00
To pay American Clothing Co., clothing	38.89
To pay Armstrong Machine Works, machine repair parts	30.40

To pay American Thread Co., thread	949.25
To pay Anthony Mills, flour	3,060.00
To pay Ault and Wilborg Co., office supplies	157.85
To pay J. E. Alders, electrical supplies.....	27.10
To pay A. S. Aloe & Co., optical goods	41.12
To pay American Optical Co., optical goods	540.00
To pay Anchor Post Fence Co., fence at Wynne Farm	1,112.20
To pay Black Hardware Co., hardware	2,231.43
To pay Jas. Bute Co., paint and oil	1,428.14
To pay Brockman Company, groceries	593.91
To pay Chas. F. Baker Co., nails	18.38
To pay Brazos Valley Brick Co., car repairs	199.10
To pay A. A. Berger & Co., truck repairs	45.35
To pay Berger Mfg. Co., sheet iron	13.18
To pay Burdeaux Hardware Co., hardware	
To pay Ball Bros., grocery supplies	11.35
To pay C. E. Balling, car parts	19.86
To pay Bauer & Black, hospital supplies	7.40
To pay Barnhart Bros. & Spindler, print shop supplies	16.50
To pay Brazos Valley Cotton Mills, duck	838.15
To pay M. A. Bell Company, shoe shop supplies	5.12
To pay Barnes Machine Shop, machinery repair parts	61.90
To pay Bruner-Fisher Supply Co., plumbing supplies	387.52
To pay W. D. Cleveland & Sons, groceries and sundries	5,927.41
To pay Continental Can Co., cans.....	1,205.47
To pay J. L. Cleere, groceries and sundries	1,001.69
To pay Clement Grain Co., feed for livestock	1,422.60
To pay Crescent Bed Co., cots	107.50
To pay Chipman Chemical Co., cattle dip	100.00
To pay Cargill Company, office supplies	71.70
To pay Central Garage, gas, oil and repairs	478.25
To pay Clark & Courts, office supplies	343.85
To pay Central Barber Supply, barber supplies	27.38
To pay Continental Gin Co., gin part	82.15
To pay Dittlinger Rolling Mills, flour	8,585.45
To pay J. T. Dingle Co., lumber	187.35
To pay John Deere Plow Co., farm machinery	218.05
To pay DeLaval Separator Co., separator repair parts	45.17
To pay Lynch Davidson & Co., lumber	34.35
To pay Denison Mfg. Co., cotton tags	68.40
To pay A. S. Elliott, rope	62.50
To pay Endicott-Johnson Corporation, shoe material	984.00
To pay Fleischmann Co., yeast	
To pay Freeport Plumbing Co., plumbing supplies	183.63
To pay J. R. Fiske Elec. Co., electrical supplies	772.57
To pay J. C. Faickney, gin repair parts	107.87
To pay Four-way Lock Co., locks	285.67
To pay Fairbanks-Morse Co., scale	35.17
To pay Flaxman Dry Goods Co., clothing	33.96
To pay Gordon, Sewell & Co., groceries and sundries.....	6,499.17
To pay A. Garfunkel & Co., clothing	92.25
To pay W. D. Cleveland & Sons, groceries	217.80
To pay Germalene Chemical Co., disinfectant	360.00
To pay Gilliland Lab., hospital supplies	179.03
To pay Grand Ldr. Dry Goods Co., hats.....	391.24
To pay Gulf Refining Co., gas and oil	1,553.43
To pay Graham Paper Co., print paper	19.81
To pay R. B. George Machine Co., gin parts	312.11
To pay Garner Lumber Co., lumber	27.50
To pay M. M. Graves Co., bagging and ties	340.00
To pay Gulf Motor Sales Co., car parts.....	29.05
To pay Gulf Production Co., acetyline gas	289.05
To pay Jas. C. Garner & Sons, gin repairs	104.00

To pay Goldbert & Kaplan, harness, etc.	14.85
To pay Grantville Hosiery Mills, socks	827.00
To pay Glove Laboratories, disinfectant	12.00
To pay Gullett Gin Co., gin repair parts	7.81
To pay Houston-Leon Coal Co., lignite	6,844.09
To pay Houston Drug Co., drugs	1,518.77
To pay Houston Artificial Limb Co., surgical supplies	5.55
To pay Houston Light & Power Co., power	334.42
To pay Houston Tal. Gas Co., fuel	957.69
To pay F. W. Heitman Co., hardware	1,113.43
To pay Houston Typewriter Exchange, office supplies	24.76
To pay Hanover Heel & Co., shoe material	21.74
To pay Hirsch Cooperage Co., barrels	243.60
To pay Horner Bros. Woolen Mills, blankets	46.36
To pay Hall Lumber Co., lumber	3,330.09
To pay A. H. Hess & Son, shoe material	1,135.77
To pay Hamilton Brown Shoe Co., shoe material	460.00
To pay Huntsville O-M Co., feed for livestock	170.75
To pay Hensarling Mtr. Co., car parts and truck	1,343.46
To pay G. W. Hunt Lumber Co., lumber	1,013.20
To pay Houston Packing Co., bacon and lard	2,850.29
To pay Herring-Turner Hardware Co., hardware	51.35
To pay Houston Paper Co., paper	44.60
To pay Houston Ice and C. S. Co., storage	32.50
To pay Highway Garage, car repairs	10.70
To pay Houston Armature Wrks., re-winding	110.00
To pay International Harvester Co., farm machinery	390.76
To pay Imperial Merc. Co., lumber, etc.	298.08
To pay International Coffee Co., coffee	41.46
To pay Imperial Garage, car parts	60.21
To pay Interstate Trading Co., blankets	7.57
To pay Jensen-Salsbery Lubs, surgical supplies	318.80
To pay Juhn P. & V. Works, paint and oil	282.73
To pay Liggett-Myers Tobacco Co., tobacco	1,969.92
To pay Lyons Bros. Co., vinegar	385.75
To pay Levy Dry Goods Co., dry goods	18.80
To pay A. M. Lockett & Co., machinery for machine shops	716.60
To pay Luthy Mfg. Co., cotton tags	92.65
To pay Myers-Spalti Mfg. Co., furniture	295.76
To pay Mexia Textile Mills, duck	3,694.33
To pay Magnolia Gas Products Co., acetyline	364.27
To pay Mengden & Sons, gin repairs	162.03
To pay Mission Provision Co., bacon and lard	30,628.95
To pay Murray Co., gin machinery	1,324.70
To pay Moncrief-Lenoir Mfg. Co., gin repair parts	19.00
To pay Magnolia Paper Co., paper	81.35
To pay W. L. Macatee & Sons, building material	114.85
To pay Morton Salt Co., salt	212.50
To pay John L. Mostea, light globes	49.85
To pay Magnolia Petroleum Co., gas and oil	1,575.80
To pay E. H. McClure & Co., surgical supplies	85.50
To pay Robert King, drugs	2.40
To pay John Lawrie Sons, shoe material	2.38
To pay McKean-Eilers Co., duck	765.28
To pay John McClellan & Sons, dishes	51.00
To pay Worthrup & Clark, gin machinery	726.24
To pay N. O. Nelson Mfg. Co., plumbing supplies	1,825.16
To pay Norwich Pharmacy Co., hospital supplies	60.65
To pay R. Nicholson Seed Co., planting seed	2.75
To pay National Amonia Co., amonia	31.05
To pay Oliphant Motor Co., car parts	282.88
To pay Oliver Chilled Plow Works, plows and parts	221.02
To pay Peden Iron & Steel Co., hardware	9,692.38

To pay Pffeister & Vogel, shoe material	797.62
To pay Prade Co., sheeting	1,673.91
To pay Parke, Davis Co., drugs	65.25
To pay E. L. Pearson & Co., linters	1,081.01
To pay E. C. Palmer & Co., paper	683.27
To pay Purnell Iron Works, gin repairs	13.35
To pay Padgitt Bros. Co., shoe material	30.99
To pay Primrose Petroleum Co., gas and oil	618.95
To pay Pierce Petroleum Co., gas and oil	2,487.43
To pay Pendleton & Arto, dental supplies	83.25
To pay Prison Commissary, lumber	380.11
To pay Peaslee-Gaulbert Co., paint and oil	172.65
To pay Progressive Machine Co., machinery repair	10.86
To pay Ruhmann Grain Co., feed for livestock	3,879.00
To pay Ras Redwine, cans and canners	1,308.56
To pay J. E. Rodgers, planting seed	184.57
To pay Sigmund Rotschild, feed for livestock	254.82
To pay K. Rossler & Co., barber supplies	191.37
To pay Rose Mfg. Co., clothing	1,528.50
To pay Chas. Robson & Co., bakery equipment	19.33
To pay Schuhmacher Co., groceries and sundries	7,692.90
To pay Selig Company, disinfectant	225.00
To pay Smith Bros. Brazoria, groceries	431.77
To pay Smith Bros, Huntsville, beef	4,449.91
To pay S.-W. Paper Co., toilet paper	686.53
To pay Surgical Selling Co., surgical supplies	759.77
To pay South Texas Imp. & Sup. Co., farm machinery	202.50
To pay Smither Grocery Co., groceries	1,312.35
To pay Standard P. & L. Co., printing	9.90
To pay Southern Drug Co., drugs	1,528.46
To pay Southern Blue Print Co.	
To pay E. R. Squibb & Son, drugs	66.45
To pay Southern Chevrolet Co., car parts	7.50
To pay Southern Dairy Sully Co., dairy supplies	55.39
To pay Sampson Machy. & S. Co., boiler	60.00
To pay Standard Sanitary Mfg. Co., plumbing supplies	679.44
To pay San Antonio Mch. & S. Co., gin part	50.00
To pay Straus-Bodenheimer Co., feed	8.10
To pay Steves Sash & Door Co., building material	8.41
To pay Southern Tire and Rep. Co., tire	30.10
To pay Sharpe & Smith, hospital supplies	144.00
To pay Standard Heel Co., shoe material	202.18
To pay Schumate Cutlery Co., cutlery	87.60
To pay G. A. Stowers Furniture Co., furniture	138.28
To pay Superior Roller Co., print shop part	19.15
To pay F. S. Spain, Motor Co., car parts	67.25
To pay St. L. B. & M. Ry, rental of track	1,116.10
To pay Singer Sewing Machine Co.	
To pay Supreme Products Co., extracts	122.55
To pay Sholts Bakery, bread	21.00
To pay Steinberg-Maas Co., baking powder	30.00
To pay W. S. Tyler Co., steel	1,114.47
To pay Tel-Electric Co., electrical supplies	1,090.19
To pay Palestine S. & C. Co., salt	363.00
To pay Temple Lumber Co., lumber	9.00
To pay Texas Artificial Limb Co., surgical supplies	3.00
To pay Thompson-Ehlers Co., shoe material	93.44
To pay Tobin-Hamilton Co., shoe material	1,176.00
To pay Texas Hotel Supply Co., dishes, etc.	409.06
To pay Temple Lumber Co, lumber	319.00
To pay the Texas Company, gas and oil	448.66
To pay Tobey Hardware Co., hardware	140.22
To pay T. J. Thompson, bacon	113.29

To pay Texas Artificial Limb Co., surgical supplies.....	11.92
To pay E. E. Thwaites, dental supplies	183.30
To pay Texas Belting Co., belts.....	259.00
To pay A. J. Towers Sale Co., slickers	58.48
To pay Taylor Lumber Co., lumber.....	13.84
To pay Chas. P. Toft, boiler	125.00
To pay Tibbetts Construction Co., sand and gravel	43.68
To pay United Shoe Mach Co., shoe material	38.71
To pay U. S. Rubber Co., packing	42.78
To pay Underwood Typewriter Co.,	
To pay Victor X-Ray Corp., hospital supplies	176.93
To pay Waxhachie c-m Co., duck	3,606.97
To pay T. B. Wessendorf Co., lumber	266.98
To pay Waddell's H. F. Co., furniture	91.75
To pay Western Public Service Co., electrical equipment	885.80
To pay Wallis Lumber Co., lumber	180.05
To pay Wilder & Co., shoe material	833.70
To pay Westmoreland Jewelry Store, glasses	477.00
To pay Waller Grocery Co., groceries	68.16
To pay Wolff & Klar, handcuffs	30.00
To pay Woldson Lumber Co., lumber	637.25
To pay Wakefield Motor Co., car parts	47.30
To pay York Ice Machine Co., ice machinery part.....	39.09
Total	\$181,700.65
Grand Total	\$633,968.55

Sec. 2. The fact that the end of the Forty-first Legislature is near, and the crowded condition of the calendar of both Houses, and the further fact that a great number of claims for which appropriations are herein made are long past due, and the public policy requires that all just demands upon the State for the Prison System of the State of Texas be adjusted with as little delay as possible, creates an emergency and an imperative public necessity that the Constitutional rule, requiring bills to be read on three several days be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Amendment No. 2.

Strike out all above the enacting clause and insert in lieu thereof the following:

A BILL

To Be Entitled

An Act making appropriations to pay for emergencies and miscellaneous claims against the State for the Prison System of the State of Texas and authorizing payment of said emergency appropriations and miscellaneous items on tak-

ing effect of this Act, and declaring an emergency.

Respectfully submitted,

POLLARD,
STEVENSON,
HOLBROOK,
WOODWARD,

On part of the Senate.

WALLACE,
HUBBARD,
MURPHY,
WESTBROOK,
KING,

On part of the House.

Senator McFarlane sent up the following minority report:

Minority Report.

Committee Room,
Austin, Texas, Mar. 5, 1929.
S. B. No. 476.

Hon. Barry Miller, President of the Senate, and

Hon. W. S. Barron, Speaker of the House of Representatives.

Sirs: I, a minority of your Conference Committee, appointed by your respective bodies to consider S. B. No. 476, have had said bill under consideration and beg leave to file the following minority report:

S. B. No. 476, as originally passed by the Senate, provided for deficiency appropriation of \$181,700.65

to cover certain miscellaneous claims filed for the fiscal year ending August 31, 1928.

I was present in the Senate Finance Committee when this deficiency appropriation was considered and no information was furnished this Committee by the Prison Board or its manager giving valid reasons why it was necessary to make all of these purchases in addition to the appropriation of \$426,428.07 made by the last Legislature to cover the expenditures by the Board for the last year, and no information was received by the Finance Committee that would show the date said merchandise was purchased, the purposes for which it was used, why it was necessary to purchase it, and who authorized the different expenditures and it was not disputed nor denied that the Prison Board knew at the time these purchases were made that they did not have sufficient money to pay for said merchandise and knew that they were exceeding their authority and the Constitution and the laws of this State in making said purchases, and according to good information, which has been published in the Journal since February 15th, and not denied, the Board knew before this deficit was incurred, that they were exceeding the appropriations allowed by the Legislature and knew that they had created new positions, had increased salaries and had made improvements on the General Manager's home and had made many other improvements in the Prison System that could easily have been deferred, especially in view of the fact that they knew they would have insufficient money to take care of these obligations.

As to most of the other items totalling the sum of \$452,267.90, these items should be left over until the Special Session, to be called next month, when each of these items should and could be given more particular attention, to determine whether or not all of said items are proper and necessary expenditures.

A large part of these emergency requests are for repairs, improvements and purchases of additional property, that could and should be deferred for more careful consideration, especially in view of the fact that the Penitentiary Relocation and

Sale Problem is unsettled, and for that reason the advisability of the purchase of new property and equipment is untimely at this time.

In the interest of efficiency, economy, and a desire to give careful consideration to each of these items of expenditure, I respectfully beg to disagree with the majority of your Free Conference Committee and file this dissenting report.

McFARLANE.

The majority report was read and adopted by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Nays—1.

McFarlane.

Absent.

Cousins.	Russek.
Greer.	

Absent—Excused.

Neal.

Senate Bill No. 208

The Chair laid before the Senate on second reading the following bill:

S. B. No. 208, A bill to be entitled "An Act to provide for the vocational rehabilitation and placement of physically disabled persons; to make an appropriation of \$10,000.00 for the year 1929-1930 and \$15,000.00 for the year 1930-1931 to make the law effective, and declaring an emergency."

The bill was read second time.

Senator Beck sent up the following amendment:

▲mend S. B. No. 208 by striking out all Sections relating to appropriation.

The amendment was read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 208 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

The bill was read third time and finally passed by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

Senate Bill No. 209.

The Chair laid before the Senate on second reading the following bill:

S. B. No. 209, A bill to be entitled "An Act enacting provisions designed to compel the sending in to the seat of government and to the Secretary of State of returns in elections and primary elections; defining offenses

and providing for penalties and remedies to accomplish such purpose; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 209 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

The bill was read third time and finally passed.

Senate Bill No. 502.

The Chair laid before the Senate on second reading the following bill:

S. B. No. 502, A bill to be entitled "An Act to amend Article 1645, Title 34, of the Revised Civil Statutes, of the State of Texas of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, relating to the appointment and compensation of county auditors in counties containing a population of thirty-five thousand inhabitants, or over, according to the preceding Federal census, or having a tax valuation of fifteen million dollars, according to the last approved tax roll, and providing for additional compensation for the county auditors in such counties where there is a joint city and county hospital, and where a special audit for such hospital must be kept and report made to the city and county, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Williamson, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 502 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

Motion to Print.

Senator Love moved to print S. B. No. 598 in the Journal on minority report. The motion prevailed.

Adjournment.

On motion of Senator McFarlane, the Senate, at 5:12 o'clock p. m., adjourned until 10:00 o'clock Wednesday morning.

APPENDIX.

Petitions and Memorials.

(TELEGRAM.)

Stamford, Texas, March 1, 1929.

Senator Tom Love,
Austin, Texas.

We, your constituents, request that you make every effort to strengthen search and seizure in favor of prohibition.

J. R. Pratt, banker, Rev. W. C. Moffatt, Rev. M. B. Harris, Rev. Fred C. Roberts, Rev. R. A. Stewart, Rev. J. H. Hamblin, T. M. Caton, farmer; J. B. Smith, loans; C. T. Dodson, automobiles; Ray Rector, photographer; G. G. Flournoy, Chief of Police; T. A. Upshaw, insurance and real estate; C. C. Sterling, dentist; J. F. McCulloch, farmer; T. W. Alderson, dry goods; I. H. Terry, life insurance.

The Albert Sidney Johnston Chapter, Daughters of the Confederacy, are entertaining with "open house" at the Texas Confederate Museum Friday, March 8, from 4:30 to 6:30 o'clock, in honor of members of Texas Legislature and their wives.

We feel sure the relics in our museum will be of interest to all, and it will be our great pleasure to have the honor to show them to you.

Respectfully,

Mrs. J. E. Houze, president; Mrs. Forest Farley, Mrs. Davie Doom, Committee on Entertainment.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, March 5, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 444 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, March 5, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 503 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 254 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 497 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 413 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 597 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 562 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 418 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 378 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 383 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 602 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 331 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 463 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 345 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 313 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 344 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 548 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Mar. 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 708, A bill to be entitled "An Act fixing the salary of the District Attorney of the 8th Judicial District and prescribing the manner of its payment; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it being a local bill that it be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, Mar. 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 594, A bill to be entitled "An Act to sell to the Austin Independent School District the North half of Block Ninety-four (94) in

the City of Austin and directing the issuance of a patent for same; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it being a local bill that it be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, Mar. 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 291, A bill to be entitled "An Act providing that when any lien or liens other than by written contract of the owners of property are fixed, secured or claimed by instrument filed of record under Chapter 2, Title 90, Revised Civil Statutes of 1925, the property owner, contractor or subcontractor may file bond, providing the amount and terms of such bond and for notice prescribing period of limitation on causes of action to enforce lien or liens covered by such land and on causes of action on such lands, providing incidental matters, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Mar. 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 97, A bill to be entitled "An Act to amend Article 2223 of Chapter 9, Title 42, of the Texas Revised Civil Statutes of 1925 providing for rendition of judgments against a partnership, and also against the members thereof and the issuance of execution in such cases and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, Mar. 5, 1929.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 40, A bill to be entitled "An Act making the official stenographic report of the evidence taken in the trial of any Civil suit, evidence upon any subsequent trial of such suit, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, Mar. 5, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred S. B. No. 604, A bill to be entitled "An Act granting W. C. Davis permission to sue the State for certain injuries received while employed by the State Highway Commission."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, Mar. 5, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts to whom was referred S. B. No. 513, A bill to be entitled "An Act transferring Hood County from the 10th Supreme Judicial District in which the Court of Civil Appeals sits at Waco to the Second Supreme Judicial District in which the Court of Civil Appeals sits at Fort Worth; providing for the proper transfer of cases incidental to said change; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PATTON, Chairman.

Committee Room,

Austin, Texas, Mar. 5, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 673, A bill to be entitled "An Act to reorganize the 42nd and the 104th Judicial Districts of the State of Texas; and to prescribe the time, and fix the terms of holding the Courts in each of said Judicial Districts, and in the various counties thereof; and to conform all writs and process from such Courts to such changes, and to make all process issued or served before this Act takes effect, including recognizances and bonds, returnable to the terms of the Court in the several districts and counties thereof as herein fixed and to validate all process, and to validate the summoning of grand and petit jurors and juries, repealing all laws and parts of laws in conflict herewith and fixing the time when this Act shall become effective; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PATTON, Chairman.

Committee Room,

Austin, Texas, Mar. 5, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 737, A bill to be entitled "An Act amending subdivision 4 of Article 199, Title 8, Revised Civil Statutes of Texas, and providing for changing and prescribing terms and times of holding Court in the 4th Judicial District of Texas, validating and continuing all processes, and writs, bonds and recognizances and making them returnable to the terms of Court in the several counties in said district as herein fixed, to validate the summoning of Grand and Petit jurors under the present Law so as to render them available under the present Act; enacting proper provisions relative to any term of court that may be in session when this Act takes effect, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PATTON, Chairman.

Committee Room,
Austin, Texas, Mar. 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 606, A bill to be entitled "An Act ratifying and validating the creation and consolidation proceedings creating Carey Consolidated Rural High School District No. 10 of Childress County, Texas, by consolidating Purple Hill Common School District No. 14, Prairie Hill Common School District No. 4, Carey Common School District No. 10 and Valley View Common School District No. 28 all in Childress County, Texas; ratifying and validating all orders, petitions, notices, elections, orders declaring results of elections and describing the boundaries of such consolidated rural high school district; validating election and election proceedings held on the 6th day of February, 1929, in such consolidated district; authorizing the issuance of sixty thousand dollars school house bonds and levying a tax in payment thereof, including the petition, order, notices, election, election returns and authorizing the Board of Trustees to complete the issuance and sale of such bonds; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HORNSBY, Vice Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your committee on State Affairs, to whom was referred

H. B. No. 711, A bill to be entitled "An Act to protect the rights of the public to fishing and hunting and for park purposes in the waters of Caddo Lake, and lands adjacent thereto, withdrawing such lands from sale and preserving it for fish and game and for State park purposes as may be hereafter provided, providing that such land may be leased for mineral purposes in accordance with the Law, but not otherwise sold; and declaring an emergency."

Have had the same under consid-

eration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it being a local bill that it be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 4, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your committee on State Affairs, to whom was referred

H. B. No. 518, A bill to be entitled "An Act providing for the open season on squirrels in certain counties; providing penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it being a local bill that it be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 509, A bill to be entitled "An Act authorizing county auditors in counties containing a population of 35,000 or more, and in which there may exist, or which there may be created, any improvement, navigation, road, or irrigation district, or any other territory district, having for its purpose the expenditure of public funds for improvement purposes, or improvements of any kind, whether derived from the issuance of bonds, or through any character of special assessments, to any exercised control over the finances of said district as provided in Chapter 2 of the Revised Civil Statutes of the State of Texas, 1925, amending Article 1667 of the Revised Civil Statutes, 1925; revising and amending Article 1672, so as to provide for compensation of the County Auditor for performing such service, giving the County Commissioners' Court of counties having a population of not less than 22,800 and not over 22,900 shown by 1920 Federal Census the right to continue the County Auditor or employ in its discretion a certified public accountant; providing for compensation for

monthly reports, repealing all laws in conflict with this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with Committee Amendments and be not printed.

STEVENSON, Chairman.

Committee Amendment No. 1.

Amend House Bill No. 509 by striking out the words and figures "35000 or more" in second line of the caption and insert in lieu thereof the following:

"Not less than 41000 and not more than 42000 inhabitants as shown by the 1920 Federal Census."

Committee Amendment No. 2.

Amend H. B. No. 509 by striking out the words and figures "amending Article 1667 of the Revised Civil Statutes, 1925, revising and amending Article 1672" in lines 10 and 11 of the caption and insert in lieu thereof the following: "adding Articles 1667a and 1672a to the Revised Civil Statutes 1925."

Committee Amendment No. 3.

Amend H. B. No. 509 by adding small letter "a" after the figures 1667 and by adding small letter "a" after the figures 1672 in the first line of Section 1 and by striking out the word "amended" in line 2 of said section 1 and insert in lieu thereof the following: "added to the Revised Civil Statutes 1925 and worded"

Committee Amendment No. 4.

Amend H. B. No. 509 by adding small letter "a" after the figures 1667 in fourth line of Section 1 and by adding small letter "a" after the figures 1672 in fourteenth line of Section 1.

Committee Amendment No. 5.

Amend H. B. No. 509 by striking out the words and figures "35000 or more, as shown by the preceding Federal Census" in 5th. and 6th. lines of Section 1 and insert in lieu thereof the following: "not less than 41000 and not more than 42000 inhabitants as shown by the 1920 Federal Census."

Committee Amendment No. 6.

Amend H. B. No. 509 by changing the period after the word "assessment" to a comma, and changing the capital T to a small t to the word "the" all in line 12 of said Section 1.

Committee Amendment No. 7.

Amend H. B. No. 509 by striking out the word "the" in line 14 of said Section 1 and insert in lieu thereof the following: "In counties having a population of not less than 41000 and not more than 42000 inhabitants as shown by the 1920 Federal Census The"

Committee Amendment No. 8.

Amend H. B. No. 509 by adding after the word "district" in line 15 of said Section 1 the following: "in counties referred to in Article 1667a of this Act and referred to in this Article 1672a."

Committee Amendment No. 9.

Amend H. B. No. 509 by striking out the period after the word "district" in line 19 of Section 1, and insert in lieu thereof a semi-colon, and by striking out all the words in Section 1, after the said word "district" in line 19, beginning "In such counties, etc.," and insert in lieu thereof the following:

"Provided, however, that the compensation allowed the county auditor for his service on behalf of such districts shall be not exceeding one-fourth of one per cent upon sums annually received by said districts by reason of tax levies annually made on property therein, and which compensation shall be in lieu, or in the place and stead of the compensation now allowed the county treasurer by the Statutes pertinent to such improvement districts, and such county auditor shall hereafter perform the duties now required of the county treasurer in respect of improvement districts in such counties; and hereafter no duties shall be required of the county treasurer in respect to such improvement districts situated in any county or counties covered by the provisions of this Act."

Committee Room,
Austin, Texas, March 5, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 296, A bill to be entitled "An Act relating to the State Board of Education; providing for the appointment of the members of said Board; prescribing their qualifications; terms of service, and duties providing for an appropriation to pay the expenses of said Board; repealing all laws in conflict with this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

HORNSBY, Vice-Chairman.

By Shaver.

H. B. No. 296.

A BILL

To Be Entitled

An Act relating to the State Board of Education; providing for the appointment of the members of said Board; prescribing their qualifications, terms of service, and duties; providing for an appropriation to pay the expenses of said Board; repealing all laws in conflict with this Act; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. There is hereby created the State Board of Education. Said Board shall consist of nine members to be appointed by the Governor, with the advice and consent of the Senate. Of the first Board to be appointed the terms of three members shall expire on January 1, 1931; the terms of the next three members shall expire on January 1, 1933; and, the terms of the remaining three members shall expire on January 1, 1935. After the first Board, the term of each member shall be for six years from the date of the respective appointments, and the appointments shall be made and the terms arranged in such manner that three of said members shall retire on the first day of January biennially, and the Governor shall biennially, on the first day of January, fill such vacancies by the appointment of three members. (No member of said Board shall be a

resident of any county in which is located any one of the State supported colleges, the State University, or other State supported institutions of higher learning.) Each member of said Board shall be a citizen thirty years of age or more and otherwise qualified to vote; and no member shall at the time of his appointment, or during the term of his service, be engaged as a professional educator.

Sec. 2. The State Board of Education shall organize by the election of one of its members as president and by the election of the State Superintendent of Public Instruction as secretary, as hereinafter provided.

Sec. 3. The State Board of Education shall meet once in every three months at the Capitol in Austin, and at such other times as may be designated by the president, or it may meet upon call of any three members of the Board. Questions necessary for the decision of the Board shall be determined by a majority vote of the members of the Board present, and for the transaction of all business six shall constitute a quorum. Said Board of Education shall adopt rules necessary for the government of its proceedings.

Sec. 4. It is made the duty of the State Board of Education, created by this Act, to immediately take over and discharge all duties imposed by present laws upon the Board of Education in existence at the time this Act takes effect. In addition thereto, it shall perform such other duties as may from time to time be prescribed by the Legislature. In addition to the duties now required by law of the Board of Education, existing prior to the taking effect of this Act, the State Board of Education hereby created shall perform the following duties:

(a) It shall make a careful study of the financial needs of elementary and secondary education and all administrative features of the public school system and recommend to the Governor and the Legislature biennially, in a formal report, such legislation as is needed to secure adequate support and efficient administration of the public free schools.

(b) It shall fairly consider the financial needs of the State institutions of higher learning and make

recommendations concerning same biennially. It shall submit these recommendations to the State Board of Control, which shall embody them in its budget, together with the original requests of the several institutions of higher learning, and its own recommendations, and transmit the same to the Governor and the Legislature.

(c) It shall make formal recommendations to the Governor, and through the Governor to the Legislature, concerning all proposals for the establishment of new educational institutions.

(d) It shall make a careful study of the general scope and purport of the work of all the State institutions of higher learning, with special reference to the needs of the State institutions of higher learning and to existing Legislation establishing these institutions, and with the special design of elimination of any needless or wasteful duplication of work. It shall so familiarize itself with our general educational scheme as it affects higher education that it would be able to direct legislative attention to any needless duplication in our institutions of higher learning and present a means of correlating and coordinating the several activities and purposes of our colleges and State University and other institutions of higher learning.

(e) The State Textbook Commission shall no longer meet or function after the taking effect of this Act, and the duties heretofore devolving by Law upon the State Textbook Commission shall be performed by the State Board of Education, created in this Act, and the State Board of Education hereby created shall for the purpose of disposing of textbook matters meet at times and places that the State Textbook Commission is required to meet and act under existing law. No person who has acted as an agent for any author or textbook publishing house or as the attorney for any author or textbook publishing house or who has been an author or associate author of any textbook published by any publishing house, or who owns stock in any textbook depository or any publishing house, or who has been directly or indirectly concerned in the authorship of any textbook or connect-

ed with any textbook publishing house, shall be eligible to appointment on the State Board of Education; and each member of the said State Board of Education shall, in addition to taking the official oath prescribed herein, file with the secretary of the said Board an affidavit that he has not been so connected directly or indirectly with the authorship of any textbook or with any textbook publishing company as prescribed above, and that he will not become so connected or interested while he is a member of the said Board.

Sec. 5. The elected Superintendent of Public Instruction shall act as secretary of the State Board of Education and as its executive officer.

Sec. 6. Nothing in this Act shall be construed to lessen the powers now held by the existing governing bodies of our State Teachers Colleges, the College of Industrial Arts, the University of Texas, the Technological College, and other State institutions of higher learning.

Sec. 7. The Superintendent of Public Instruction shall, subject to the approval of the Board of Education hereby created, invest the permanent school fund in the class of bonds which may be bought with said funds under existing law. And, when the Superintendent of Public Instruction exercises the option given by Law for the purchase of bonds, the same shall prevent the sale of said bonds to any other party until said Board of Education, at its next meeting, has had opportunity to either approve or disapprove such purchase. If the purchase is approved, said bonds shall be paid for out of the permanent school fund, as is now provided by Law; and, if disapproved, then said bonds shall be released as though the option given the permanent school fund to purchase said bonds had not been exercised.

Sec. 8. The members of the State Board of Education, created by this Act, shall be paid Ten Dollars per day when in actual attendance upon Board meetings, and shall be entitled to actual traveling and other necessary expenses incurred in the discharge of their duties. Each mem-

ber shall take the Constitutional oath of office.

Sec. 8-a. All laws prescribing the qualifications of the State Superintendent of Public Instruction and devolving duties upon said officials not inconsistent with this Act, are hereby made cumulative of this Act.

Sec. 9. All laws and parts of laws in conflict with any provision of this Act are hereby repealed. If any provision or Section of this Act is held unconstitutional the same shall not operate to defeat the whole Act, but all other parts shall stand and remain in full force and effect.

Sec. 10. The importance of this Legislation and the crowded condition of the Calendar create an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days be suspended and the same is hereby suspended and that this Act be in force and take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 5, 1929.

Hon. Barry Miller President of the Senate.

Sir: We, your committee on Finance, to whom was referred

S. B. No. 603, A bill to be entitled "An Act establishing at Meridian, in Bosque County, Texas, the Central Texas State Teachers College."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

POLLARD,

Chairman.

PARRISH,

Vice Chairman.

A BILL

To Be Entitled

An Act establishing at Meridian in Bosque County, Texas, the Central Texas State Teachers College conditioned upon acquiring good title to the college property of Meridian College now located at Meridian, Texas, for the purposes of said Teachers College; providing for the acceptance of title to said property; providing for the transfer of same to the State; providing for the operation of said State Teachers College by the Board of Regents of the State Teachers Colleges and making it

subject to the provisions of the laws of this State relating to State Teachers Colleges; enacting other provisions incidental to the purpose of the Act; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Central Texas Teachers College is hereby established at Meridian, Bosque County, Texas, conditioned upon the State acquiring good title to the college property of Meridian College now located at Meridian, Texas. Said State Teachers College shall be under the control and management of the Board of Regents of the State Teachers Colleges and shall be subject to the provisions of the laws of this State relating to State Teachers Colleges.

Sec. 2. Said College is established provided that the College property of said Meridian College is donated to the State of Texas free of cost. The State of Texas hereby accepts said College property located at Meridian in Bosque County, Texas, consisting of the college buildings, campus and all college equipment, provided that fee simple title to same is transferred to the State by deed approved as to form by the Attorney General of Texas. Acceptance of said property is also subject to the title being approved by the Attorney General after examination of a complete abstract of title.

Sec. 3. After said property has been so transferred to the State in fee simple and title approved by the Attorney General said college shall be considered as established, and the Board of Regents shall proceed on and after September 1, 1929 to operate said college as a State Teachers College under the laws of this State.

Sec. 4. The fact that there is great need for a State Teachers College to be located at Meridian as herein provided for and the further fact that the State should as soon as possible take advantage of the opportunity of acquiring title to the college property of Meridian College, which is in a very suitable location for a State Teachers College, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended and that this Act shall

take effect and be in force from and after its passage, and said rule is hereby suspended, and it is so enacted.

(Majority Report)

Committee Room,
Austin, Texas Feb. 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your committee on Privileges and Elections, to whom was referred

S. B. No. 598, A bill to be entitled "An Act amending Articles 3127, 3137, 3139 and 3167 of Chapter 13 of Title 50 of the Revised Civil Statutes of Texas of 1925, repealing Articles 3135, 3138 and 3141 of said Chapter 13, and providing that all political parties required by law to nominate candidates for office at primary elections, shall hold a State Convention to announce a platform of principles and elect a new State Executive Committee and Chairman thereof, on the fourth Tuesday in May, 1930, and every two years thereafter, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

HOLBROOK, Chairman.

(Minority Report)

Committee Room,
Austin, Texas Feb. 28, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, a minority of your committee on Privileges and Elections, to whom was referred

S. B. No. 598, A bill to be entitled "An Act amending Articles 3127, 3137, 3139 and 3167 of Chapter 13 of Title 50 of the Revised Civil Statutes of Texas of 1925, repealing Articles 3135, 3138, and 3141 of said Chapter 13, and providing that all political parties required by law to nominate candidates for office at primary elections, shall hold a State Convention to announce a platform of principles and elect a new State Executive Committee and Chairman thereof, on the fourth Tuesday in May, 1930, and every two years thereafter, and declaring an emergency."

Have had the same under consideration, and I am instructed to re-

port it back to the Senate with the recommendation that it do pass.

LOVE,
COUSINS,
POLLARD,

A BILL
To Be Entitled

An Act amending Articles 3127, 3137, 3139 and 3167 of Chapter 13 of Title 50 of the Revised Civil Statutes of Texas of 1925, repealing Articles 3135, 3138, and 3141 of said Chapter 13, and providing that all political parties required by law to nominate candidates for office at primary elections, shall hold a State Convention to announce a platform of principles and elect a new State Executive Committee and Chairman thereof, on the fourth Tuesday in May, 1930, and every two years thereafter, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 3139 of the Revised Civil Statutes of Texas, 1925, be and the same is hereby amended so as to hereafter read as follows:

Article 3139. For all political parties required by the laws of this State to nominate candidates for office at primary elections there shall be held a State Convention to announce a platform of principles, and to take such other action and make such other declarations as it shall decide upon by majority vote, which shall meet on the fourth Tuesday in May, 1930, and every two years thereafter, and it shall remain in session from day to day until the work of the Convention is finished. Such Convention shall elect, by majority vote a Chairman of the State Executive Committee, and the delegates present in such convention representing the counties composing each of the thirty-one Senatorial Districts of the State respectively, each county voting its convention strength, shall elect a members of the State Executive Committee, and the thirty-one members and the chairman so elected shall immediately take office and shall constitute the State Executive Committee of the party for the succeeding two years; and in case of a vacancy occurring in the chairmanship or membership thereof, a ma-

majority of the members of said committee shall fill the same.

Each county in the State convention shall be entitled to one vote for each five hundred votes or major fraction thereof cast in said county for the candidate for Governor, of the political party holding the convention, at the last preceding general election, and in case at such election less than five hundred votes were cast in any county for such candidate for Governor, then such county shall have one vote.

Sec. 2. That Article 3134 of the Revised Civil Statutes of Texas, 1925, be and the same is hereby amended so as to hereafter read as follows:

Article 3134. The delegates from each County to the State Convention shall be elected by a County Convention, to be held in each County, at the County seat thereof, at 10 o'clock a. m., on the first Tuesday after the first Saturday in May 1930 and every two years thereafter, which County Convention shall be composed of one delegate from each election precinct in each County for each twenty-five votes, or major fraction thereof, cast for the party's candidate for Governor at the last preceding general election. The delegates from each election precinct to the County Convention shall be elected by the voters of the party residing in such election precinct, in precinct primary conventions, which shall be held on the first Saturday in May 1930 and every two years thereafter; such precinct primary conventions to be held at such hour on said day, and at such place, as the County Executive Committee of the party shall prescribe at a meeting thereof to be held for that purpose on the first Saturday in April, 1930, and every two years thereafter. The County Executive Committee may prescribe different hours for the assembling of such primary conventions in precincts located outside cities and towns, from those located outside cities and towns.

Each such precinct primary convention shall be presided over by a chairman who shall have been previously appointed by the County Executive Committee of the party, at its meeting on the first Saturday in April, and shall be a qualified voter in said election precinct. Said pre-

cinct primary conventions may elect from among their number a secretary and such other officers as may be necessary to conduct its business, and may elect a Chairman in the absence of the Chairman chosen by the County Executive Committee, or in the event of his inability or refusal to act. The Chairman of said precinct primary convention shall possess all the power and authority that is given to election judges under the provisions of the laws of Texas. Before transacting any business, the Chairman shall cause to be made a list of all qualified voters present. The name of no person shall be entered upon said list nor permitted to vote or participate in the business of such Convention who is unable to show that he or she resides in the election precinct, and will be a qualified voter at the next ensuing general election. After the Convention is so organized it shall elect its delegates to the county Convention and transact such other business as may properly come before it. The officers of said Convention shall keep a written record of its proceedings, including a list of the delegates elected to the County Conventions, which shall constitute the returns from said precinct primary convention. The same shall be signed officially, sealed up, and safely transmitted by the officers thereof to the Chairman of the County Executive Committee of the party, to be used by it in making up the temporary roll of the delegates to the County Convention.

The delegates from each County to the State Convention and the delegates from each precinct to the County Convention elected as herein provided, or such of them as may attend the Convention, shall cast the vote of the County, or of the precinct, as the case may be, in such conventions.

Immediately upon the adjournment of each county convention the chairman and secretary thereof shall make out a certified list of the delegates to the State convention chosen by such county convention and shall forward the same by sealed registered letter to the chairman of the State Executive Committee, who shall present the same to such committee at a meeting thereof to be held on the Monday preceding the fourth Tuesday in May, 1930, and

each two years thereafter, and from such certified lists, the State executive committee shall prepare a temporary roll of the delegates to such State Convention; provided that no proxy shall be allowed or recognized in any State convention where a delegate from the county is present in the convention.

Sec. 3. That Article 3136 of the Revised Civil Statutes of Texas, 1925, be and the same is hereby amended so as to hereafter read as follows:

Article 3136. On the first Monday in March 1930, and every two years thereafter the State Executive Committee shall hold a meeting at a place to be designated by the Chairman thereof, and decide upon and publish the place where the State convention of the party shall be held on the fourth Tuesday in May thereafter.

Sec. 4. That Article 3137 of the Revised Civil Statutes of Texas, 1925, be and the same is hereby amended so as hereafter to read as follows:

Article 3137. On the third Monday after fourth Saturday in July, 1930, and each two years thereafter the State Executive Committee shall meet at a place selected at its meeting held on the second Monday in June preceding and shall open and canvass the returns of the primary election held on the fourth Saturday in July as to candidates for all State and district offices, including U. S. Senator and Congressman, certified by the various County Executive committee chairmen and secretaries, and shall prepare a tabulated statement showing the number of votes received by each such candidate in each county, which statement shall be approved by the State Executive Committee and certified by its chairman and secretary and all such candidates for any nomination for a State or District office, including United State Senator and Congressman, who are found to have received a majority of all the the votes cast for all candidates for such office, shall be declared the nominees of the party for such state and district offices, and such state and district nominees shall thereupon be certified by the Chairman of the State Executive Committee to the Secretary of State, who shall cer-

tify them to the County Clerks of the various counties in the State and in the districts affected thereby.

If such returns show that for any nomination for a State or district office, including U. S. Senator and Congressman, no candidate has received a majority of all the votes cast for all candidates for such office, such committee shall prepare a list of the two candidates receiving the highest, and second highest vote, respectively, for each State or District office for which no candidate has received a majority of the votes cast at such primary for such office, and shall certify the same to the County Chairmen of the several counties to be placed upon the official ballot as candidates for office at the second primary election to be held on the fourth Saturday in August thereafter. On the second Monday after the fourth Saturday in August 1930, and every two years thereafter, the State Executive Committee shall meet at a place to be selected by it at its meeting on the third Monday after the fourth Saturday in July, and shall open and canvass the returns of the second primary election held to nominate candidates for State and District offices as certified by the various County Chairmen to the State Chairman, and shall prepare a tabulated statement showing the number of votes received by each such candidate in each county, and shall declare the candidates so found to have received the largest number of votes in the State for a State office; and in the District for a District office to be the party nominees for such State and District offices; and such State and District nominees shall thereupon be certified by the Chairman of the State Executive Committee to the Secretary of State, who shall certify them to the County Clerks of the various counties in the State and in the districts affected thereby.

Sec. 5. That Article 3127 of the Revised Civil Statutes of Texas, 1925, be and the same is hereby amended so as hereafter to read as follows:

Article 3127. The chairman of the executive committee in each county shall, as soon as the vote cast in the primary election has been counted and canvassed as herein pro-

vided for, prepare a tabulated statement of the votes cast in his county for each candidate for each nomination for a State, District, County, or Precinct office, and of that cast for county chairman, as shown by the canvass made by the county executive committee, and shall immediately mail such statement as to a State or district office, in a sealed envelope by registered letter, to the chairman of the State executive committee, who shall present the same to the State Executive Committee at its next meeting to be held after the receipt of said statement. As to candidates for Governor, or for an office to be filled by all the voters of the State, or of any district composed of more than one county, the chairman of the county executive committee and its secretary shall certify the number of votes cast for each of such candidates and cause the same to be published in some newspaper of the county, if there be one.

Sec. 6. That Article 3167 of the Revised Civil Statutes of Texas, 1925, be and the same is hereby amended so as to hereafter read as follows:

Article 3167. The State convention held by political parties which are required by law to nominate candidates by primary election, held on the fourth Tuesday in May, 1932, and each four years thereafter, shall elect the delegates from this State to the national convention of the party, to be held in such year, by majority vote of the delegates present and voting in such convention and shall also elect, by such majority vote, the representatives of the party on the national committee of such party, and shall also, by such majority vote, nominate the candidates of the party for presidential electors to be voted upon at the ensuing general election. The Chairman and Secretary of the State Convention shall immediately certify the nominations made by such conventions for presidential elector to the Secretary of State, who shall certify the same to the county clerks of the various counties in the State. If any vacancy shall occur, by death, resignation, or otherwise, in any nomination so made for presidential elector, the same may be filled by the State Executive Committee of the

party, at a general or special meeting thereof and such nominations to fill vacancies shall be certified to the Secretary of State by the Chairman and Secretary of such Executive Committee.

Sec. 7. That Articles 3135, 3138, and 3141 of Chapter 13 of Title 50 of the Revised Civil Statutes of Texas of 1925 be and the same are hereby repealed.

Sec. 8. The near approach of the end of the Session and the crowded condition of the calendar create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

FORTY-FIRST DAY.

Senate Chamber.

Austin, Texas,

Wednesday, March 6, 1929.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Moore.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Neal.

Prayer by Mrs. Frank Morris.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)